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SUBJECT: TAJIKISTAN'S NEW CABINET: NO GOOD NEWS FOR U.S. DEMOCRACY PROGRAMS

REF: A) DUSHANBE 2171 B) DUSHANBE 2201 C) DUSHANBE 2205 D) DUSHANBE 542

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REASON: 1.4 (b), (d)

11. (C) SUMMARY AND COMMENT: Nothing about President's Rahmonov's new cabinet suggests that democracy and human rights programs will now operate more freely. After months of Tajik officials counseling us to "wait until after the November 6 election" to push for registration of the National Democratic Institute, licensing of Internews' community radio stations, or resolution of a personnel case against Mercy Corps, the new Minister of Justice and the old hands in charge of radio and television, religious affairs, and elections seem inclined to maintain the status quo-or worse, tighten their control over NGOs. The November 30 governmental restructuring and subsequent cabinet appointments will not improve the overall climate for civil society.

12. (C) Despite official lip service about the importance of democracy, the Tajik government still suspects that democracy and human rights programs secretly intend to foment a "color revolution," a fear fed and shared by Russia and neighboring Central Asian countries, particularly Uzbekistan. Our public diplomacy efforts will need to be ramped up to counter continuing "black" propaganda aimed at discrediting Western organizations and programs.

13. (C) Political parties should not expect any more operating space, and the government will certainly continue its efforts to squash any sort of genuine political opposition. The small number of U.S. programs promoting free media and press will likely continue; however, the Tajik press knows well the limits of speech expected by the Rahmonov administration and does not push the envelope. Given Rahmonov's enthusiasm for English language training, we anticipate the government will continue to support educational and professional exchanges, although it may scrutinize participants for "controversial" programs like religion-themed exchanges, as has happened in the past. END SUMMARY.

14. (U) This cable on democracy and human rights is one of four cables examining the impact of Tajikistan's restructured government and President Rahmonov's new cabinet on U.S bilateral and regional priorities (Ref A). The other reports look at

bilateral and regional security issues (Ref B), economic development and growth (Ref C), and the bigger picture of Tajikistan's future (septel).

NEW MINISTER OF JUSTICE, OLD PRACTICES

¶5. (C) Incoming Minister of Justice Bahtier Huderoev does not bring the fresh air we had hoped for in the ministry that oversees registration of all international and local non-government organizations and associations. The former head of the Presidential Administration's Constitutional Guarantees Department takes over from the very rigid former Minister Halifabob Hamidov. Hamidov was rumored to tightly control every aspect of the ministry, but U.S.-funded organizations like Eurasia Foundation and Pragma predict that Huderoev will be no more flexible. Huderoev will likely not give his deputy ministers more freedom and authority than his predecessor. We will approach him about registering National Democratic Institute, but anticipate the same resistance put up by his predecessor -- and the same background pressure from the security services.

¶6. (C) At stake is the registration status of all NGOs, including the U.S.-funded Internews and National Democratic Institute, as well as a draft law on organizations which threatens to consolidate Ministry of Justice control over NGOs. Mercy Corps has also had problems with the previous Minister of Justice and has an outstanding personnel case filed by the Justice Ministry. We have not traditionally enjoyed a good partnership with this ministry, so our efforts to work for legal and administrative reform will likely remain labored and slow.

¶7. (C) Also at stake is a controversial draft Law on Associations, known as "the NGO law." After heated objections to the control it would give to the Ministry of Justice to

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register and monitor all associations, including local and international NGOs, the government postponed its discussion until after the November 6 presidential election. Given how Rahmonov has taken his cues from Moscow on NGO activity, the parliament may be asked to pass the law in early 2007.

¶8. (C) Although the court system and Prosecutor General's office are independent bodies, the Ministry of Justice still exerts influence over both, and we must wait to see what tact Huderoev takes with regards to the justice system. Because the Prosecutor General Bobojon Bobokhonov retained his position, U.S.-funded trainings and programs with his office should not be affected.

SAME OLD, SAME OLD

¶9. (C) President Rahmonov chose to retain several committee heads with a history of blocking U.S. programs and exchanges:

-- Chairman of Committee for Television and Radio Asadullo Rahmonov has been a long time opponent of Internews' U.S.-funded community radio project. Under his continued watch, the six radio stations applying for licenses will likely spin their wheels, without direct intervention from another more powerful ministry.

-- The Committee on Religious Affairs has been subsumed under the Ministry of Culture, but Murodullo Davlatov remains its head. Most recently, he tried to stop a number of Muslim leaders from visiting the states on a U.S.-funded Community Connections program. However, oversight from the Minister of Culture could mean he will have less authority to control or veto U.S. programs that involved Muslim outreach. Davlatov is the author of a controversial law on religion that was tabled until after the election (Ref D). If passed, the law, which fails to meet many international standards, would essentially outlaw home religious instruction and curtail the construction of many new Friday mosques in small communities. We have heard that objections from government officials stalled its passage.

However, without continued international pressure to reform the law, the government may be inclined to quietly pass it into effect.

--The new Minister of Culture, Mirzoshorukh Asrorov, previously worked as the head of the department of culture in the Dushanbe Mayor's office. (NOTE: A few others from Mayor Ubaidulloyev's staff have managed to get higher ranking positions, including Mehriniso Nasirova, who now heads the Committee on Women Affairs and Family. END NOTE.) The Minister of Culture could have a great influence on cultural heritage sites, exchanges, including the religious ones, as well as architecture and construction.

-- Chairman of the Central Committee for Elections and Referenda (CCER) Mirzoali Boltuyev has also not been replaced. Boltuyev was a reluctant partner to donors and NGOs, although his deputy Dodojonov worked closely with U.S.-funded NGOs and donors to push through a series of decrees implementing international election standards. Boltuyev is rumored to have serious alcohol problems since his wife's death and frequently seemed out of it in meetings or conferences. With a great sense of satisfaction at conducting a "clean" presidential election and no national elections on the horizon until 2010, the government and the CCER will feel little pressure to continue implementing important election reforms.

¶10. (C) In the restructuring, the government has quietly abolished the Social Protection Fund. All companies and organizations with employees were obligated to pay into this fund, which played a role similar to the United States' Social Security. Over the past year, we have worked hard to ensure that our implementing partners complied with the law and paid into this fund for their local employees. No press has reported on this issue and the effects are unclear.

¶11. (C) The new Agency to Fight Corruption and Economic Crimes is a step in the right direction, as corruption is rampant and seeps into civil society as well as economic programs. Most western observers agree that the agency was created as "window dressing" for western consumption; its head has not been named, and it remains unclear whether it will have any real authority.
JACOBSON